	Case 3:19-cv-00067-RCJ-CSD Document 9	7 Filed 11/01/22 Page 1 of 9
1		
2		
3		
4		
5	UNITED STATES I	
7	DISTRICT (	JF NEVADA **
8		)
9	TOMAS PEREZ,	) Case No.: 3:19-cv-00067-RCJ-CSD
10	Plaintiff,	
11	v. BARRICK GOLDSTRIKE MINES, INC., a	) STIPULATION FOR THE ENTRY OF DOCUMENTS AS TRIAL EXHIBITS
12	foreign corporation,	) ) Tilb ( N
13 14	Defendant.	Trial Date: November 7, 2022 Trial Time: 8:30 a.m.
15		) )
16		)
17		oldstrike Mines, Inc. ("Defendant") and Plaintiff
18		r undersigned counsel, hereby stipulate that the
19		ist, numbered 1-33, once appropriately marked,
20		jury trial in this action set for November 7, 2022
22	at 8:30 a.m.	
23		
24		
25		
26		
27		
28		

These will be referred to as simply "exhibit number \_\_\_\_" or "joint exhibit number\_\_\_\_" 1 2 and not as either "plaintiff's" or "defendant's." The parties shall file amended Plaintiff's and 3 Defendant's Exhibit Lists to include and reflect only those exhibits that each is submitting that 4 have not yet been stipulated to. 5 Respectfully submitted, 6 Dated this 27<sup>th</sup> day of October, 2022. Dated this 27<sup>th</sup> day of October, 2022. 7 8 /s/James P. Kemp /s/Trevor Lee David C. Castleberry, Esq. James P. Kemp, Esq. 9 Bar No. 6375 Bar No. 8981 10 KEMP & KEMP ATTORNEYS AT LAW MANNING CURTIS BRADSHAW 7435 West Azure Drive, Suite 110 & BEDNAR PLLC 11 Las Vegas, NV 89130 136 East South Temple, Suite 1300 (702) 258-1183/258-6983 fax Salt Lake City, UT 84111 12 Attorney for Tomas Perez (801) 363-5678/ (801) 364-5678 fax 13 dcastleberry@mc2b.com 14 Trevor Lee, Esq. (Pro Hac Vice) MANNING CURTIS BRADSHAW & 15 **BEDNAR PLLC** 136 East South Temple, Suite 1300 16 Salt Lake City, UT 84111 (801) 363-5678/(801) 364-5678(fax) 17 tlee@mc2b.com 18 Michelle D. Alarie, Esq. 19 Bar No. 11894 ARMSTRONG TEASDALE LLP 20 21 Attorneys for Barrick Goldstrike Mines Inc. 22 23 IT IS SO ORDERED: 24 25 UNITED STATES DISTRICT JUDGE 26 27 Dated: NOVEMBER 1, 2022.

28

EXHIBIT LIST	page 1	
--------------	--------	--

Date Marked	Date Admitted	Number	Witness	Description
		1		Notice of Injury Incident Report
				BARRRICK *1
		T		
		2		Barrick's FMLA Leave Policy
				BARRICK *400-405
		3		Injury and Illness Management Standard
				BARRICK *541-549
		Г .		
		4		Standards of Conduct Policy (Revised January 2011)
				BARRICK *51-60
				BARRICK 121-00
		5		Perez Signed Acknowledgment for Standards of Conduct Policy
				BARRICK *109

EXHIBIT LIST	page	2

Date Marked	Date Admitted	Number	Witness	Description
		6		Nov 1 Medical Return to Work Form
				BARRICK *30-34
		7		Nov 1 Worker Compensation Notes
				BARRICK *62
		8		Nov 6 Medical Return to Work Form
				BARRICK *38-41
		9		Nov 6 Worker Compensation Notes
				BARRICK *35-37
				DANNICK 33-37
		10		Nov 16 Medical Return to Work Form
				BARRICK *29

EXHIBIT LIST	page <u>3</u>
--------------	---------------

Date Marked	Date Admitted	Number	Witness	Description
		11		Nov 16 Workers Compensation Notes
				BARRICK *44-45
		12		Mine Investigation Video of Accident Scene (2 videos)
				a) Mine Wall Video 1 BARRICK *527 b) Mine Wall Video 2 BARRICK *528
		13		Mine Accident Injury Illness Report
				BARRICK *480-481
		14		Incident Reporting and Investigation Standard
				BARRICK *406-418
		15		Internal Email re workers compensation Paperwork
				BARRICK *497-499

EXHIBIT LIST page 4
---------------------

Date Marked	Date Admitted	Number	Witness	Description
		16		Perez Statement
				BARRICK *746
		17		Gonzales Statement No. 2
				BARRICK *442
		18		Hatch Statement
				BARRICK *445
		19		Johnson Statement
				BARRICK *444
		20		Photos of Perez's Haul Truck Nov 14 Email Attaching Various Photos
				BARRICK *457-473

zanieni zago o	EXHIBIT LIST	page 5
----------------	--------------	--------

Date Marked	Date Admitted	Number	Witness	Description
		21		Termination Letter
				BARRICK *61
		22		Perez's Pay Slips
		22		1 erez 3 r ay 311p3
				BARRICK *397-399
		23		Email Exchange re Perez Meeting
				BARRICK *753-755
		24		November 2017 Email Chain regarding treatment and claim status
				Barrick 482-486
				Barrick 482-486
		25		November 2017 Email Chain regarding terminating Tomas Perez
				Barrick 508-512

		<u> </u>		<del></del>
Date Marked	Date Admitted	Number	Witness	Description
		26		11/10/17 Gallagher Bassett Workers' Comp Claim Denial Letter
				Barrick 5-6
		27		November 2017 Emails Regarding Denying Workers' Comp Claim
				Barrick 446-452
		28		November 2017 Gallagher Bassett
				Workers' Comp Claim Notes  Barrick 42
				Dailick 42
		29		11/20/17 Separation Report-Not
				Eligible for Rehire
				Barrick 519
		30		Standards of Conduct Policy (9 pageversion)
				Barrick 430-438

EXHIBIT LIST	page 7

	ı	1		T
Date Marked	Date Admitted	Number	Witness	Description
		31		Plaintiff's W-2 Forms
				Barrick 84-89
		32		Barrick Nevada Hourly Bonus Policy
				Barrick 419-429 ECF No. 29-3 at 15-25
				of 25
	I	22		David Farm C. A Franklaus /a Claim for
		33		Perez Form C-4 Employee's Claim for Compensation/Report of Initial
				Treatment
				Plaintiff's 10020
		34		
	Π	35		
		33		4